1	State of Arkansas
2	95th General Assembly <b>A Bill</b>
3	Regular Session, 2025SENATE BILL 331
4	
5	By: Senator G. Leding
6	By: Representative L. Johnson
7	
8	For An Act To Be Entitled
9	AN ACT CONCERNING COVERAGE FOR GENETIC TESTING FOR
10	INHERITED CANCER MUTATIONS; TO CREATE THE GENETIC
11	TESTING ACT; AND FOR OTHER PURPOSES.
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14	Subtitle
15	CONCERNING COVERAGE FOR GENETIC TESTING
16	FOR INHERITED CANCER MUTATIONS; AND TO
17	CREATE THE GENETIC TESTING ACT.
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19 20	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21	SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an
22	additional subchapter to read as follows:
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24	<u>Subchapter 29 — Genetic Testing Act</u>
25	
26	23-79-2901. Title.
27	This subchapter shall be known and may be cited as the "Genetic Testing
28	<u>Act".</u>
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30	<u>23-79-2902. Definitions.</u>
31	As used in this subchapter:
32	(1) "Clinical genetic testing for an inherited cancer mutation"
33	means germline testing for an inherited mutation associated with an increased
34	cancer risk according to evidence-based, clinical practice guidelines;
35	(2) "Cost-sharing requirements" means a deductible payment,
36	coinsurance amount, copayment, or any similar out-of-pocket expense;



1	(3) "Enrollee" means an individual entitled to coverage of
2	healthcare services from a healthcare insurer;
3	(4) "Evidence-based cancer imaging" means an evidence-based
4	cancer imaging modalities according to the National Comprehensive Cancer
5	Network clinical practice guidelines;
6	(5)(A) "Health benefit plan" means any individual, blanket, or
7	group plan, policy, or contract for healthcare services issued or delivered
8	by a healthcare insurer in this state.
9	(B) "Health benefit plan" does not include:
10	(i) Accident-only plans;
11	(ii) Specified disease plans;
12	(iii) Disability income plans;
13	(iv) Plans that provide only for indemnity for
14	hospital confinement;
15	(v) Long-term-care-only plans that do not include
16	pharmacy benefits;
17	(vi) Other limited-benefit health insurance policies
18	or plans;
19	(vii) Health benefit plans provided under Arkansas
20	Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et
21	seq., or the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;
22	(viii) The Arkansas Medicaid Program;
23	(ix) A program established by the Arkansas Health
24	and Opportunity for Me Act of 2021, § 23-61-1001 et seq.;
25	(x) Any state or local governmental employee plan;
26	or
27	(xi) A plan that provides only dental benefits or
28	eye and vision care benefits;
29	(6)(A) "Healthcare insurer" means a:
30	(i) Health insurance issuer that is subject to state
31	law regulating insurance;
32	(ii) Health maintenance organization;
33	(iii) Hospital and medical service corporation; or
34	(iv) An entity that provides plans as a nonprofit
35	agricultural membership organization as defined in § 23-60-104.
36	(B) "Healthcare insurer" does not include an entity that

2       (7) "Healthcare professional" means a person who is licensed,         3       certified, or otherwise authorized by the laws of this state to administer         4       health care in the ordinary course of the practice of his or her profession.         5       23-79-2903. Coverage for genetic testing for inherited cancer         7       mutations.         6       (a) On and after January 1, 2026, a health benefit plan that is         9       offered, issued, or renewed in this state shall provide coverage for:         10       (l) Clinical genetic testing for a clinical genetic testing for         an inherited cancer mutation for an enrollee with a personal or family         history of cancer if the clinical genetic testing for a clinical genetic         11       testing for an inherited cancer mutation is recommended by a healthcare         12       professional: and         13       (2) Evidenced-based cancer imaging for an enrollee with an         16       increased risk of cancer as recommended by National Comprehensive Cancer         18       (b)(1) If application of this section would result in health savings         account ineligibility under guidelines.       1         19       of the Treasury under 26 U.S.C. § 223, as in effect on January 1, 2025, then         11       this section shall apply only to health savings accounts with qualified high         deductibl	1	provides only dental benefits or eye and vision care benefits; and
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